

ATTORNEY DKT NO.: K0208-0013

PATENT#  
13

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Iijima, Kazumi  
Serial No.: 09/647,279  
Art Unit: Not Yet Known  
Examiner: Not Yet Known  
Filed: September 26, 2000  
Title: PLASTIC SYRINGE BARREL AND METHOD OF IMPROVING SAME

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Commissioner, Assistant Commissioner for Patents  
Washington, D.C. 20231  
BOX PCT

## EXPRESS MAIL CERTIFICATE

Express Mail Label No.: EH 835610993 US Date of Deposit: June 3, 2002

I hereby certify that the following attached papers:

1. Response to Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office Cover Letter;
2. Copy of Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office;
3. Copy of Express Mail Certificate dated July 18, 2001;
4. Copy of Return Postcard date stamped by OIPE July 18, 2001;
5. Copy of Express Mail Label EL625996565US date stamped July 18, 2001;
6. Copy of check # 108856 in the amount of \$130.00;
7. Copy of Fee Transmittal dated July 18, 2001;
8. Copy of Power of Attorney signed and dated June 22, 2001;
9. Copy of Transmittal Form dated July 18, 2001;
10. Copy of Declaration for Utility or Design Patent Application signed and dated June 22, 2001;
11. Copy of USPTO Filing Receipt dated 12/26/2001, and;
12. Return Postcard

are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Box PCT, Honorable Commissioner of Patents and Trademarks, Washington, D.C. 20231.

ANTHONY BROWN

(Printed name of person mailing paper(s) or fee)

Anthony Brown

(Signature of person mailing paper(s) or fee)

Mailing Address:

PATTERSON, BELKNAP, WEBB & TYLER LLP  
1133 Avenue of the Americas  
New York, NY 10036-6710  
Telephone: (212) 336-2000  
Facsimile: (212) 336-2222

PC DOCS

ATTORNEY DKT. NO.: K0208.13

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Iijima, Kazumi Group Art Unit: Not Yet Known  
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Honorable Commissioner of Patents & Trademarks  
Washington, D.C. 20231  
BOX PCT

June 3, 2002

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

Sir:

This is in response to the "Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US)," dated April 1, 2002 in the above-captioned application. A copy of the notification is enclosed. The notification states that an oath or declaration in compliance with 37 C.F.R. § 1.497(a) and (b) is missing from the application file and must be submitted within two months of the date of the notice.

Applicant believes that the April 1, 2002 Notice is in error and that all required application materials, including a declaration, have been submitted in this application.

Applicant encloses a copy of Express Mail Certificate for Express Mail Label No. EL625996565US, certifying that on July 18, 2001, the following documents were deposited with the United States Postal Service's "Express Mail" service under 37 C.F.R. § 1.10, addressed to the Assistant Commissioner of Patents, Washington, D.C. 202131, for submission in U.S. Patent Application Serial No. 09/647,279:

1. Declaration for Utility Patent Application;
2. Transmittal Form;
3. Power of Attorney;
4. Fee Transmittal Form; and
5. Check for \$130

Applicant also encloses copies of the five documents listed above, as well as a copy of Express Mail Label No. EL625996565US, and a copy of a stamped return-receipt postcard indicating that the Patent and Trademark Office received those documents by Express Mail dated July 18, 2001.

Applicant thus respectfully submits that the declaration of the inventor was sent to the Patent and Trademark Office on July 18, 2001 and that the April 1, 2002 Notification of Missing Requirements is incorrect in stating that the declaration is missing from the application file.

Applicant believes that the declaration and other papers submitted on July 18, 2001, may have been placed inadvertently in another application file. Applicant encloses a copy of a filing receipt dated December 26, 2001, for U.S. Patent Application Serial No. 09/674,279, which has an application number that differs from the application number of the present case only in that two of the digits are transposed. The filing receipt for application number 09/674,279 lists the same inventor, but, among other things, lists a different invention title, a different priority application, and a different filing date for the international application. The filing receipt indicates that the Patent and Trademark Office received the 35 U.S.C. § 371(c)(1), (c)(2) and (c)(4) requirements for that case on July 18, 2001, the same date on which Applicants in the present case submitted the declaration and other documents mentioned above. These circumstances may explain why the Patent and Trademark Office is not aware of the inventor's declaration in the present case.

Applicant respectfully submits that this response to the Notification of Missing Requirements is timely and within the two month period for response set forth in that Notification. Although no fee is believed to be due in connection with this paper, the Assistant Commissioner is hereby authorized to charge (or credit) Deposit Account No. 16-0633 with any additional fees or overpayments which arise in connection with this paper.

The undersigned may be reached at 212-336-2671 or at the mailing address below.

Respectfully submitted,



Neal K. Feivelson  
Reg. No. 41,740  
Attorney for Applicant

Dated: June 3, 2002

Mailing address:

PATTERSON, BELKNAP, WEBB & TYLER LLP  
1133 Avenue of the Americas  
New York, NY 10036

## PCT National Phase Application

Please type a plus sign (+) inside this box → 

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number	09/647,279
Filing Date	September 26, 2000
First Named Inventor	Kazumi Iijima
Group Art Unit	N/A
Examiner Name	N/A

Attorney Docket Number

K0208-013

## ENCLOSURES (check all that apply)

Fee Transmittal Form  
 Fee Attached  
 Amendment / Reply  
 After Final  
 Affidavits/declaration(s)  
 Extension of Time Request  
 Express Abandonment Request  
 Information Disclosure Statement  
 Certified Copy of Priority Document(s)  
 Response to Missing Parts/ Incomplete Application  
 Response to Missing Parts under 37 CFR 1.52 or 1.53

Assignment Papers (for an Application)  
 Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_

After Allowance Communication to Group  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):  
 -Declaration for Utility Patent Application.  
 - Express Mail Certificate

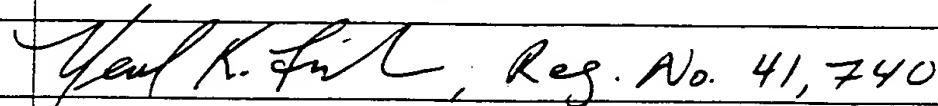
Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm  
or  
Individual name

Neal K. Feivelson, Esq., Reg. No. 41,740

Signature



Date

July 18, 2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete if Known	
Application Number	09/647,279
Filing Date	September 26, 2000
First Named Inventor	Kazumi Iijima
Examiner Name	N/A
Group Art Unit	N/A
Attorney Docket No.	K0208-013

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to: Deposit Account Number <span style="border: 1px solid black; padding: 2px;">16-0633</span> Deposit Account Name <span style="border: 1px solid black; padding: 2px;">Patterson, Belknap</span> <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		3. ADDITIONAL FEES <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> <tr> <th>Fee Code (\$)</th> <th>Fee Code (\$)</th> <th>Fee</th> <th></th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td></tr> <tr><td colspan="4">Other fee (specify) <span style="border: 1px solid black; padding: 2px;">Surcharge for Oath 30 months from Priority Date per 37 CFR 1.492(e)</span></td></tr> <tr><td colspan="4" style="text-align: right;">*Reduced by Basic Filing Fee Paid</td></tr> <tr> <td colspan="2"></td> <td colspan="2" style="text-align: right;">SUBTOTAL (3) (\$ 130.00)</td> </tr> </tbody> </table>		Large Entity	Small Entity	Fee Description	Fee Paid	Fee Code (\$)	Fee Code (\$)	Fee		105	130	205	65	127	50	227	25	139	130	139	130	147	2,520	147	2,520	112	920*	112	920*	113	1,840*	113	1,840*	115	110	215	55	116	390	216	195	117	890	217	445	118	1,390	218	695	128	1,890	228	945	119	310	219	155	120	310	220	155	121	270	221	135	138	1,510	138	1,510	140	110	240	55	141	1,240	241	620	142	1,240	242	620	143	440	243	220	144	600	244	300	122	130	122	130	123	50	123	50	126	180	126	180	581	40	581	40	146	710	246	355	149	710	249	355	179	710	279	355	169	900	169	900	Other fee (specify) <span style="border: 1px solid black; padding: 2px;">Surcharge for Oath 30 months from Priority Date per 37 CFR 1.492(e)</span>				*Reduced by Basic Filing Fee Paid						SUBTOTAL (3) (\$ 130.00)	
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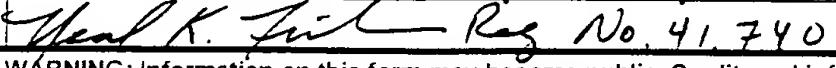
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Signature	 Neal K. Feivelson Reg. No. 41,740			Date 07/18/01

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